

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of
Thursday, June 11, 2020

The Public Service Commission of Wisconsin (Commission) met as noticed. Present were Chairperson Valcq, Commissioner Nowak and Commissioner Huebner.

Minutes

The Commission approved the minutes of the open meeting of Thursday, May 28, 2020.

550-CU-100 - Application of Black River Falls Municipal Electric and Water to Construct a New Utility Operations Center in Black River Falls, Jackson County, Wisconsin

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

1140-GP-2020 - City Gas Company Gas Supply Plan for the Period Beginning November 1, 2020

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

3670-GP-2020 - Midwest Natural Gas Incorporated Gas Supply Plan for the Period Beginning November 1, 2020

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

6650-CG-267 - Application of Wisconsin Gas LLC for Authority to Install a New Gate Station and Associated Facilities in the Town of Burke, Dane County, Wisconsin and High Pressure Main in the City of Sun Prairie, Dane County, Wisconsin

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

5-EI-157 - Investigation of Parallel Generation Purchase Rates

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

Commissioner Nowak dissented on the issuance of this notice.

5-TI-2788 - Rescission of Certification and/or Registration of Multiple Telecommunications Providers for Failure to File 2020 Annual Questionnaires per Wis. Stat. § 196.25

The Commission approved the Notice of Proceeding and directed it to be signed by the Secretary to the Commission.

5-BF-2020 - FY 2020 Broadband Expansion Grants

Appeal of Lakeland Communications to the FY 2020 Broadband Expansion Grant to Starwire Communications for its Town of Clam Falls South project

Appeal of the Town of Perry to the FY 2020 Broadband Expansion Grant to the Hilbert Communications Green County fiber route; the Hilbert Communications Iowa County fiber route; the Bug Tussel Wireless Kewaunee County fixed wireless project; and the Bug Tussel Wireless Menominee County fixed wireless project

The Commission denied the appeal of Lakeland Communications challenging the Final Year (FY) 2020 grant award for the Starwire Communications Town of Clam Falls - South project. The Commission also denied the appeal of Town of Perry challenging the FY 2020 grant award for the Bug Tussel Wireless Kewaunee County and Menominee County fixed wireless projects and the Hilbert Communications Green County and Iowa County fiber routes.

The Commission directed the Division of Digital Access, Environmental and Consumer Affairs to draft an order consistent with its discussion.

6130-TE-103 - Application of the Village of Viola, as an Electric Public Utility, Richland and Vernon Counties, Wisconsin, for Approval of a Renewable Energy Certificate Rider (RER-2)

The Commission accepted Viola's Renewable Energy Rider-2 tariff as proposed with modifications and conditions as recommended in Commission staff's memorandum dated May 27, 2020 ([PSC REF#: 390110](#)) accepted the Renewable Energy Certificate Purchase and Sale Agreement between Viola and GoMacro as adjusted with the new effective date, modifications and conditions as recommended in Commission staff's memorandum and required Viola to record the purchase of Renewable Energy Certificates in Uniform System of Accounts, Account 426 and move the associated revenues and expenses above the line.

The Commission directed the Division of Energy Regulation and Analysis to draft an order consistent with its discussion.

4220-TE-105 - Application of Northern States Power Company-Wisconsin, as an Electric Public Utility, for Approval of an Economic Development Rider

The Commission reviewed the application of Northern States Power Company-Wisconsin (NSPW) for approval of an Economic Development Rider (EDR) pilot and made the following determinations.

1. The Commission accepted, with conditions, NSPW's proposed Revenue-Based Extension Allowance Option and Distribution Demand Incentive Options as proposed in the EDR pilot, with the following additional reporting conditions.
 - a. NSPW shall provide annual reporting including the number of customers participating in both the Revenue-Based Extension Allowance and Distribution Demand Incentive options and the estimated load, total allowance, customer contribution, total extension costs, and avoided distribution charges as applicable to each of the options.
 - b. NSPW shall work with Commission staff on implementation of billing and accounting practices for the Distribution Demand Option.
 - c. NSPW shall file to continue, modify, expand, replace or close this pilot in its 2024 test year rate case (filed in 2023) or no later than January 1, 2024.
 - d. NSPW shall include affirmation language in the EDR's corresponding Customer Service Agreement (CSA) signed by the customer upon enrollment in the program that the presence of the EDR was certainly a factor in the customer's decision to expand, even if not the sole determinant.

Commissioner Nowak dissented on the imposition of this condition.

- e. NSPW shall include affirmation language in the EDR's corresponding CSA signed by the customer upon enrollment in the program that a Focus on Energy advisor assessment was completed either 12 months before or will be completed within 12 months after beginning participation in the program.

Commissioner Nowak dissented on the imposition of this condition.

- f. NSPW shall provide reporting on bad debt related to the allowance of refunds in the future filing or program review required per Item 1.b.
2. The Commission granted waivers of the following Wisconsin Administrative Code and NSPW tariff provisions:

- a. PSC § 113.1005(1)'s requirement that the customer "shall pay . . . the estimated cost of distribution facilities to be installed which is greater than the appropriate average embedded cost allowance for existing distribution facilities."
 - b. The portions of PSC § 113.1007(1) and 113.1008(3) to the extent those provisions refer to the use of an embedded cost allowance.
 - c. The following tariff provisions, to the extent they describe the use of an embedded cost allowance:
 - i. Schedule Ex-25 and Ex-26, Section 5.32 Definition and Allowance
 - ii. Schedule Ex-26, Section 5.33 Allowances
 - iii. Schedule Ex-30 and Ex-31, Section 5.342 Demand and Energy Basis
 - iv. Schedule Ex-31, Section 5.343 Commercial/Industrial Developments
 - v. Schedule Ex-34 and Ex-35, Section 5.6 Increased Customer Load (Upgrade)
3. NSPW shall submit to the Commission any final form tariffs consistent with the approved EDR pilot and authorized waivers.

The Commission directed the Division of Energy Regulation and Analysis to draft an order consistent with its discussion.

9300-WF-105 - Petition of No Green County Wind for the Appeal Under Wis. Admin. Code § PSC 128.51 of the Green County Land Use and Zoning Office's Decision to Approve the Application of EDF Renewables for a Wind Energy System in the Town of Jefferson, Green County, Wisconsin

The Commission denied the petition of No Green County Wind for review of the Green County Land Use and Zoning Office's decision to approve the application of EDF Renewables for a wind energy system in the Town of Jefferson, Green County, Wisconsin. The Commission granted a 30-day extension from the deadline for issuance of the Commission's final decision.

The Commission directed the Division of Energy Regulation and Analysis to draft an order consistent with its discussion.

5-UI-120 - Investigation on the Commission's Own Motion to Ensure Safe, Reliable and Affordable Access to Utility Services During Declared Public Health Emergency for COVID-19

The Commission reviewed the alternatives listed in Commission staff's memorandum dated June 2, 2020 ([PSC REF#: 391627](#)), related to the Commission's investigation to ensure safe, reliable and affordable access to utility services during the declared public health emergency for COVID-19, and made the following determinations relating to several provisions of the Commission's

order of March 24, 2020 ([PSC REF#: 386373](#)) and the Commission's Supplemental Order – First ([PSC REF#: 390567](#)):

1. Lifting the temporary provisions relating to disconnection of service and providing that disconnection notices may be issued effective July 15, 2020, and the first available date for disconnection for nonpayment to occur on or after July 25, 2020. Clarifying that medical extension still applies for all customers and confirming that a positive COVID-19 test of a customer or member of a customer's household shall automatically be considered a medical emergency for the purpose of a 21-day medical extension of service (even if the customer has had an extension for another medical reason), and the 21-day medical extension must be extended if the customer, or a person in the household, is still under a COVID-19 quarantine at the end of the original 21-day period, as documented by a medical provider.
2. Lifting the temporary provisions relating to documentation of residency and identity, and allowing disconnection notices for failure to provide documentation of residency and identity to be issued as of July 15, 2020, and for the first available date for disconnection or refusal of service for this reason to resume July 25, 2020.

Commission Nowak dissented.

3. Lifting the temporary provisions relating to deposits effective July 31, 2020.
4. Lifting the temporary provisions relating to late payment fees effective as of July 15, 2020, and allowing utilities to opt in to continuing to waive late payment fees through December 31, 2020 without violating the utility's tariff provided this is done in a non-discriminatory manner, and to work with Commission staff to notify the Commission of this opt-in. Clarifying that late fees are to be assessed only on amounts incurred beginning on July 15 or later, if the utility elects to assess late fees again, and not be applied to amounts incurred during the period from March 24, 2020 to July 14, 2020.
5. Lifting the temporary provisions relating to landlord requested termination of municipal electric services effective July 25, 2020.
6. Lifting the temporary provisions relating to waiver of credit card convenience fees at a utility's request or effective December 31, 2020, whichever is sooner.
7. Taking no action on the temporary provisions relating to issuance of securities.
8. Lifting the temporary provisions relating to waiver of certain tariff provisions effective as of December 31, 2020.

9. Lifting the temporary provisions relating to Deferred Payment Agreements (DPA) effective August 15, 2020. A utility must offer a DPA to any customer unable to pay until that effective date. Following that effective date, a utility may decline to offer a subsequent DPA or initiate a process to disconnect service if applicable without offering a subsequent DPA, unless a residential customer has had a significant change in ability to pay since the previous, defaulted DPA was established. Pursuant to specific requirements and procedures established in Wisconsin Administrative Code regarding DPAs, if a residential customer has not defaulted on a DPA, the utility shall offer a DPA.
10. Lifting the temporary provisions relating to municipal tenant DPAs effective August 15, 2020. Upon that effective date, each municipal utility must offer or deny DPAs to residential tenants pursuant to the service rules in its tariff as applicable.
11. Lifting the temporary provisions relating to the delegation to grant deadline tolling and extensions requests effective December 31, 2020.
12. Utilities who plan to disconnect customers for non-payment shall file a plan with the Commission's Bureau of Consumer Affairs at least five business days prior to implementing their plans. This filing shall include: the amount(s) past due that will trigger the issuance of a disconnection notice, DPA requirements, the amount(s) required to be paid to avoid disconnection of service, and an estimate as to the number of customers that may be subject to disconnection under the plan.

The Commission directed the Division of Digital Access, Consumer and Environmental Affairs, the Division of Energy Regulation and Analysis, and the Division of Water Utility Regulation and Analysis to draft a supplemental order consistent with its discussion.

The Commission adjourned the meeting at 11:55 a.m.

A handwritten signature in black ink, reading "Steffany Powell Coker". The signature is written in a cursive, flowing style.

Steffany Powell Coker
Secretary to the Commission